

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

B&B ENTERPRISES OF WILSON COUNTY, LLC,)
and HAL BONE,)

Plaintiffs,)

v.)

Case No. 3:06cv0003

THE CITY OF LEBANON, THE CITY)
OF LEBANON REGIONAL PLANNING)
COMMISSION, and the Following Individuals)
Serving In Their Capacity As Members Of the)
Commission: PATSY ANDERSON, RONNIE)
KELLY, DAVID COOK, DON FOX, CLAUDE)
WILSON, JOE HOLBROOK, NICK LOCKE,)
JAN MANGRUM, JOE HAYS and)
JOHNNY PEYTON,)

CONSOLIDATED WITH Case No. 3:06cv0004

Judge Thomas A. Wiseman, Jr.

Defendants.)

ORDER

Currently pending in this consolidated action are the following motions:

(1) Plaintiffs' Motion To Non-Suit Federal Claims and Remand To State Court (Case No. 3:06cv0003 (the "Lead Case"), Doc. No. 6);

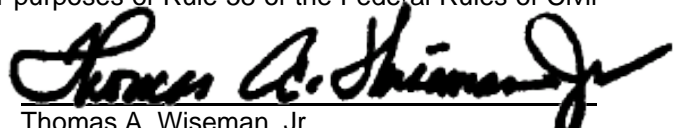
(2) Plaintiffs' Motion To Strike Federal Claims From Plaintiff's *[sic]* Proposed Amended Complaint and Remand To State Court (Case No. 3:06cv0004 (the "Member Case"), Doc. No. 6);

(3) Plaintiffs' motion to amend complaint, filed in state court prior to removal.

For the reasons set forth in the accompanying Memorandum Opinion, the motion to non-suit the federal claims and remand the Lead Case to state court is hereby **GRANTED** in its entirety. The federal claims are hereby **DISMISSED**, and the remaining state court claims are **REMANDED TO STATE COURT**.

The Member Case, No. 3:06cv0004, is hereby **REMANDED TO STATE COURT** for lack of subject-matter jurisdiction. The motion to strike claims from the proposed amended complaint and the motion to amend are **STRICKEN FROM THE DOCKET**.

It is so **ORDERED**. This is a final judgment for purposes of Rule 58 of the Federal Rules of Civil Procedure.


Thomas A. Wiseman, Jr.
Senior U.S. District Judge